IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

WA.No. 2113 of 2006(B)

AGAINST THE JUDGEMENT IN WPC.23467/2003 Dated 16/06/2005
.....

APPELLANT: RESPONDENTS:
----

1. **THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM.**

2. **STATE OF KERALA, REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT OF KERALA, HIGHER EDUCATION DEPARTMENT, GOVT.SECRETARIAT, TRIVANDRUM.**

3. **THE ACCOUNTANT GENERAL (A & E), KERALA, TRIVANDRUM.**

BY GOVERNMENT PLEADERMR.BENNY GERVACIS

RESPONDENTS:
----

1. **V. SASIKUMARAN NAIR, LECTURER, (SELECTION GRADE) C.M.S. COLLEGE, KOTTAYAM.**

2. **T.P. JAYAN NAMPOOTHIRI, LECTURER (SELECTION GRADE), C.M.S. COLLEGE, KOTTAYAM.**

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 11/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.A.ABDUL GAFOOR &
K.R. UDAYABHANU, JJ.

==========

C.M.APPLN.1170 OF 2006 IN
W.A.NO.2113 OF 2006

==========

DATED THIS THE 11TH DAY OF DECEMBER 2006

ORDER

Abdul Gafoor,J.

There is a long delay of 421 days in filing the appeal. The delay petition does not reveal any cogent reason explaining the inordinate delay. Merely because the Director of Collegiate Education was not a party, it cannot be stated that the delay was on account of that count. The Government of Kerala and the Deputy Director of Collegiate Education were parties to the writ petition. In the nature of the relief sought for in the writ appeal also, there is no merit. In such circumstances, we find, there is no reason to condone the delay. Therefore, the delay condonation petition is dismissed.

K.A.ABDUL GAFOOR
JUDGE

ks.

K.R.UDAYABHANU,
JUDGE

K.A.ABDUL GAFOOR &
K.R. UDAYABHANU, JJ.

==========

W.A. NO. 2113 OF 2006

==========

DATED THIS THE 11TH DAY OF DECEMBER 2006

JUDGMENT

Abdul Gafoor,J.

In view of the dismissal of the delay condonation petition (C.M.APPLN.NO.1170/2006), the Writ appeal is also dismissed.

Sd/-
K.A.ABDUL GAFOOR
JUDGE

Sd/-
K.R.UDAYABHANU,
JUDGE

ks. **TRUE COPY**

P.S.TO JUDGE